

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAVID LEIBOWITZ, *et al.*,

Plaintiffs,

-v.-

IFINEX INC., *et al.*,

Defendants.

19 Civ. 9236 (KPF)

SCHEDULING ORDER

KATHERINE POLK FAILLA, District Judge:

On November 15, Defendants Tether Holdings Limited, Tether Operations Limited, Tether International Limited, iFinex Inc., BFXNA Inc., BFXWW Inc., and DigFinex Inc. (together, "Corporate Defendants") filed a letter requesting leave to file a motion to dismiss. (Dkt. #28). Plaintiffs replied to that letter indicating that they do not oppose the filing of a motion to dismiss. (Dkt. #35). The Court ordered Plaintiffs to advise the Court as to whether they would like to amend their complaint, and what steps they contemplated taking regarding defendants that have not yet appeared in this action. (Dkt. #36). On December 2, 2019, Plaintiffs advised the Court that they did not wish to amend their complaint, and that several defendants had just been, or would soon be, served. (Dkt. #40).

In an effort to balance the interest of the Defendants that have appeared in progressing the case and filing a motion to dismiss, as well as the potential interest of the Defendants who have yet to appear in joining such a motion to dismiss, the Court will set the following briefing schedule: Defendants shall file their motions to dismiss on or before February 3, 2020, Plaintiffs shall file their

opposition papers on or before March 9, 2020, and Defendants shall file their reply papers, if any, on or before March 23, 2020.

The Court will keep the initial pretrial conference, currently scheduled for 3:00 p.m. on February 7, 2020, in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, on the calendar, in order to address any issues of service remaining at that time.

SO ORDERED.

Dated: December 3, 2019  
New York, New York



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KATHERINE POLK FAILLA  
United States District Judge